

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

TRACY ENOS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:21-CV-50-RHH
	)	
KILOLO KIJAKAZI,	)	
Acting Commissioner of the Social Security	)	
Administration,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff’s Application for Award of Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 (“EAJA”). [ECF No. 36.] Plaintiff requests attorney’s fees in the amount of \$6,927.36, at the rate of \$223.83 per hour and \$239.01 per hour for time spent in the years 2021 and 2022, respectively. Plaintiff attaches an “Assignment of Federal Court EAJA Fee,” in which she assigned any court-awarded fee to her attorney, Kristen Van Fossan. [ECF No. 37-3]

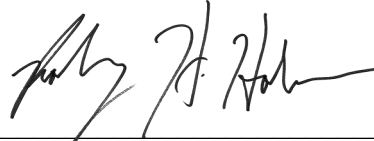
Defendant Kilolo Kijakazi, Acting Commissioner of Social Security, filed a response stating that although Plaintiff requested \$6,927.36 in her motion, “[a]fter discussions with Plaintiff’s counsel, Plaintiff and Defendant have agreed to an award of EAJA fees in the amount of \$6,600.00.” [ECF No. 38.] She notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States. *See Astrue v. Ratliff*, 560 U.S. 586 (2010).

After careful consideration,

**IT IS HEREBY ORDERED that** Plaintiff’s Application for Award of Fees [ECF No. 36] is **GRANTED.**

**IT IS FURTHER ORDERED** that Plaintiff is awarded EAJA attorney fees in the amount of \$6,600.00, subject to offset for any preexisting debt that Plaintiff owes to the United States. After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.

Dated this 17<sup>th</sup> day of February, 2023.

A handwritten signature in black ink, appearing to read "Rodney H. Holmes", is written over a horizontal line.

RODNEY H. HOLMES  
UNITED STATES MAGISTRATE JUDGE